



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/856,435
Filing Date	August 30, 2001
First Named Inventor	Weerasinghe, Jayantha
Art Unit	1761
Examiner Name	Curtis E. Sherrer
Total Number of Pages in This Submission	1
Attorney Docket Number	020358-000100US

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GROUP 1700*

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	1. Attachment (1 page)
<input checked="" type="checkbox"/> Supplemental Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s)	2. Return Postcard
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Townsend and Townsend and Crew LLP Mart C. Matthews	Reg. No. 26,201
Signature		
Date	July 10, 2003	

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Bonnie Rickles		
Signature		Date	July 10, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Complete if Known

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 180)

METHOD OF PAYMENT (check all that apply)

Check Credit Card MoneyOrder Other None
 Deposit Account:

Deposit Account Number

20-1430

Deposit Account Name

Townsend and Townsend and Crew LLP

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fees from below	Fee Paid

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

** or number previously paid, if greater; For Reissues, see above

Application Number	09/856,435
Filing Date	August 30, 2001
First Named Inventor	Weerasinghe, Jayanthi
Examiner Name	Curtis E. Sherrer
Art Unit	1761
Attorney Docket No.	020358-000100US

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath		
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet		
1053 130	1053 130	Non-English specification		
1812 2,520	1812 2,520	For filing a request for reexamination		
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action		
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action		
1251 110	2251 55	Extension for reply within first month		
1252 410	2252 205	Extension for reply within second month		
1253 930	2253 465	Extension for reply within third month		
1254 1,450	2254 725	Extension for reply within fourth month		
1255 1,970	2255 985	Extension for reply within fifth month		
1401 320	2401 160	Notice of Appeal		
1402 320	2402 160	Filing a brief in support of an appeal		
1403 280	2403 140	Request for oral hearing		
1451 1,510	1451 1,510	Petition to institute a public use proceeding		
1452 110	2452 55	Petition to revive – unavoidable		
1453 1,300	2453 650	Petition to revive – unintentional		
1501 1,300	2501 650	Utility issue fee (or reissue)		
1502 470	2502 235	Design issue fee		
1503 630	2503 315	Plant issue fee		
1460 130	1460 130	Petitions to the Commissioner		
1807 50	1807 50	Petitions related to provisional applications		
1806 180	1806 180	Submission of Information Disclosure Stmt		180
8021 40	8021 40	Recording each patent assignment per property (times number of properties)		
1809 750	2809 375	Filing a submission after final rejection (37 CFR § 1.129(a))		
1810 750	2810 375	For each additional invention to be examined (37 CFR § 1.129(b))		
1801 750	2801 375	Request for Continued Examination (RCE)		
1802 900	1802 900	Request for expedited examination of a design application		
Other fee (specify) _____				

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$180)

SUBMITTED BY

Name (Print/Type)	Mart C. Mathews	Registration No. (Attorney/Agent)	26,201	Telephone	303-571-4000
Signature	<i>Mart C. Mathews</i>				Date July 10, 2003

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On July 10, 2003

TOWNSEND and TOWNSEND and CREW LLP

By: Bonnie Reckles

PATENT
Attorney Docket No.: 020358-000100US



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Jayanthi Weerasinghe et al.

Application No.: 09/856,435

Filed: August 30, 2001

For: FROZEN ALCOHOLIC
BEVERAGES

Examiner: Curtis E. Sherrer

Art Unit: 1761

**SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER 37
CFR §1.97 and §1.98**

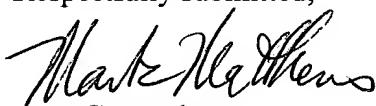
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Further to the Information Disclosure Statement ("IDS") filed March 12, 2002 and pursuant to the Examiner's objection raised in the Office Action mailed 1/24/03, attached is a concise explanation of the relevance of the following patents listed in the IDS that are not in the English language: NL 7113466, FR 979071, DE 3043648 and DE 2823320.

Please charge the IDS fee of \$180 to Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,


Mart C. Matthews
Reg. No. 26,201

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MCM:bhr

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01 FC:1806 180.00 DA



Relevance of the non-English language documents in the IDS

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NL 7113466

This document relates to a process for preparing a full-cream milk product. This differs from the present invention in that no alcohol is used in the product.

FR 979071

This document relates to a process for making sorbets which involves soaking chopped fruit in a liquid such as alcohol, incorporating the fruit into cream, and moulding the mixture. This process differs from the present invention in that there is no step of soaking chopped fruit in alcohol and incorporating the fruit into cream.

DE 3043648

This document relates to an egg liqueur product containing wine, eggs, sugar, alcohol and natural flavourings. The purpose of the product is as a semi-manufactured product for ice-cream parlours, sugar confectioners and pastry bakeries. This product differs from the present invention in that the product is not a finished product as is the case in the present invention. The egg liqueur is added to other ingredients to make a finished product. Further, the egg liqueur product is not frozen.

DE 2823320

This document relates to a food product including a body of frozen foodstuff and having a stick partly embedded in the body. It is described as depending upon carbon dioxide for its formation which is contained in "inclusions" to form the product. It does not have, in contrast to the subject application, a stabiliser. Moreover, carbon dioxide is not a required component of the present invention.